

Policy

BOARD OF EDUCATION
HORTONVILLE AREA SCHOOL DISTRICT

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ELIGIBILITY OF RESIDENT / NONRESIDENT STUDENTS

The Board establishes the following policy for determining the eligibility of students to attend the schools of this District.

The Hortonville Area School District does not discriminate against pupils on the basis of sex, race, color, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional or learning disability or handicap in its education programs or activities.

A. School Attendance Areas

1. The philosophy or concepts to be used in determining school attendance areas within the school district for two or more similar schools will be based on providing the most appropriate education possible for the children at either school.
2. Attempts will be made to keep class sizes as nearly equal as possible. Each school will generally have its own attendance area for a majority of the student's year after year; however, there will need to be a flexible zone from which students could be enrolled at either school to accomplish this task.
3. Once a student begins attending a certain school building, attempts will be made to allow the student to remain in that building, providing the residence has not changed.
4. If a family moves from one attendance area to another, but still within the school district, the students will need to change schools. Refer to Policy #5113.01 – Intra-District Requests.
5. Students in special programs may be assigned to the school outside their attendance area because certain special programs may not be available in all school buildings.
6. In cases where parents request a child to be picked up or delivered to the baby sitter, the Board of Education will retain the right to determine which school the child shall attend. This is also within its present policy of not picking up or delivering students either "to" or "from" the baby sitter when they are not on an already scheduled bus route.
7. Some special situations may arise relative to where a student will attend school. These will be decided on their individual merits. Any disputes or requests that arise by individuals will be heard and resolved by the Transportation Committee, which consists of the transportation director, school board members and administrators of schools involved.
8. The District Administrator, or designee, shall assign students to a school.
9. Students will be assigned to attend the school according to the attendance boundary areas. Requests for exceptions will be determined by the District Administrator.

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B. School Admissions

1. Any student seeking entrance into the Hortonville Area School District must reside within the established boundaries of the District or abide by the Open Enrollment Policy #5113.
2. The Board will educate, tuition-free, students who are legal residents of the District. Proof of residency will be required for registration in the District (i.e. utility bill). The administration shall verify the name, age, parents, and birth place of children enrolling in the District (i.e. Birth certificate). If residency is with individuals other than a parent, the living arrangement may not be solely for purposes of attending the District's schools and may be required to provide information sufficient to allow the administration to properly determine resident status under law.
3. Students transferring from other schools, including private schools shall complete a request for records from their previous school.
4. Parents and guardians of students admitted to the District's elementary and secondary schools, shall present immunization records as required by law, if not included with student records.
5. The Building Principal shall have the authority to determine the grade level at which a student may be placed.
6. Students entering the District from a home-based private educational program may be required to provide any available academic information and may be required to take appropriate academic tests to assist in making a placement.
7. Resident students in grades nine (9) through twelve (12) who attend a tribal school, private school or home-based educational programs shall be accepted into the District's educational programs for up to two (2) classes if the student satisfies the high school admission standards and sufficient space is available in the classes.
8. Students enrolled in a home-based private educational program in grades kindergarten through eight (8) who meet the minimum standards for admission to a course by the District shall be accepted into the District's educational programs for up to two (2) classes if the Board determines there is sufficient space in the classes.
9. Nonresident students may be accepted into the District's program under the Full-Time Open Enrollment Program.
10. Nonresident students in grades 9-12 may be accepted into the District's programs for up to two (2) classes under Course Options Program. (Discretionary as to enrollment, and mandatory as to limit of two (2) classes.)
11. The following provisions apply to any student who has been expelled from another school or district and seeks to enroll in the District during the term of the expulsion order:

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- If the student has been expelled from another Wisconsin public school district, the student is not entitled to enroll. The District Administrator may choose whether to recommend the student be enrolled. In the event that the District Administrator intends to enroll a student during the term of an expulsion order issued by another Wisconsin public school District, the enrollment must be approved by the Board.
 - If the student has been expelled by a public school in another state or by a Wisconsin charter school the District Administrator may choose to enroll the student, but if the decision is not to enroll the student, the Board must determine that the conduct giving rise to expulsion would have been grounds for expulsion from the District under Policy #5610. The student, or if the student is a minor, the student's parent, shall request that the governing body of the charter school or the public school in another state provide the Board with a copy of the expulsion findings and order, a written explanation of the reasons why the student was expelled, and the term of the expulsion.
12. If a parent (or adult student) presents information to the District certifying that the parent (or adult student), his/her child, or a member of the parent's household is a participant in the Safe at Home/Address Confidentiality Program administered by the Wisconsin Department of Justice, the Board shall use the address designated by the Department of Justice to serve as the student's address for enrollment purposes. The District shall place a copy of any certification provided by the parent in the enrollment files.

C. Student Tuition

1. The District shall not make residency determinations on the basis of an individual's alienage.
2. The District shall consider those students who are homeless or in foster placement to be residents unless residency is determined to be in another district.
3. Upon request of a student's parent or guardian, students who have gained twelfth grade status and who no longer reside within the District shall be permitted to complete their high school education tuition free.
4. A high school student who now resides in a different school district as a result of a reorganization under Chapter 117 and who has completed 9th and 10th grade at his/her former school district shall be allowed to complete his/her education at the former school district, provided the other district agrees. The school board of residence shall pay the student's tuition. The school of attendance shall count the student in its membership.

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4. Children of joint custody orders may attend school without payment of tuition if the student otherwise meets residency requirements, unless a court order specifies a different District of attendance.
5. Foreign students, participating in a bona fide foreign-exchange program, may be admitted consistent with Federal law.
6. Students whose parents reside in the State but do not reside within the District, but who present evidence that they will move into the District within nine (9) school weeks, may enroll in the schools of this District as tuition students for the time not in residence. Tuition will be refunded in accordance with State law. The parent or guardian files a written request with the school district asking for the tuition waiver for the first nine weeks of school and explaining the reason the request is made, and also stating he/she will establish residence in the school district by a specified time, including address of new residence and documentation from the contractor or landlord. Proof of residency is required upon registration in the District (i.e. utility bill or driver's license).
7. Tuition students may be accepted in accordance with State law and the approval of the District Administrator.
8. Nonresidents may be accepted into the District's Adult Education classes upon payment of the appropriate fees.
9. Nonresident students may be accepted into the District's Summer School Program upon payment of appropriate fees.
10. Nonresident students may be accepted into the District's program under the Part-Time or Full-Time Open Enrollment Programs. Non-resident students accepted into the District's Part-Time Open Enrollment Program may attend no more than two (2) courses at any time if the Board determines there is sufficient space in the classroom.
11. Students who have begun the school year as residents and who no longer reside in the District may be permitted to complete the school year tuition-free. Transportation will not be provided.

The following provisions apply to any student who has been expelled from another school or district and seeks to enroll in the District during the term of the expulsion order:

1. If the student has been expelled from another Wisconsin public school district, the student is not entitled to enroll. The District Administrator may choose whether to enroll the student. In the event that the District Administrator intends to enroll a student during the term of an expulsion order issued by another Wisconsin public school District, the enrollment must be approved by the Board.
2. If the student has been expelled by a public school in another state or by a Wisconsin charter school, the District Administrator may choose to enroll the student, but if the decision is not to enroll the student, the Board must determine that the conduct giving

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rise to expulsion would have been grounds for expulsion from the District under Policy 5610. The student, or if the student is a minor, the student's parent, shall request that the governing body of the charter school or the public school in another state provide the Board with a copy of the expulsion finding and order, a written explanation of the reasons why the student was expelled, and the term of the expulsion.

D. Conditional Enrollment

If a student has been expelled by another Wisconsin or out of State public school district, and will not be otherwise enrolled under this policy, the student may be enrolled during the period of expulsion if the Board, following input from the District Administrator, sets forth one (1) or more conditions of enrollment that are related to the reasons for the student's expulsion, and which are agreed to by the student, or if the student is a minor, the student's parents.

Acceptance of the enrollment conditions is evidenced by continued enrollment during the period of expulsion. During any period of conditional enrollment, if an alleged violation of any enrollment condition occurs:

1. If a student granted conditional enrollment violates an enrollment condition that the student was required to meet after his/her conditional enrollment but before the expiration of the term of expulsion, the District Administrator may revoke the student's conditional enrollment. Before revoking the student's conditional enrollment, the District Administrator shall advise the student of the reason for the proposed revocation, including the enrollment condition alleged to have been violated, provide the student an opportunity to present his/her explanation of the alleged violation, and make a determination that the student violated the enrollment condition and that revocation of the student's conditional enrollment is appropriate. If the District Administrator revokes the student's conditional enrollment, the District Administrator shall give prompt written notice of the revocation and the reason for the revocation, including the enrollment condition violated, to the student and if the student is a minor, to the student's parent. Within five (5) school days after the revocation of a student's conditional enrollment, the student or, if the student is a minor, the student's parent may request a conference with the District Administrator who shall be someone other than a principal, administrator, or teacher in the student's school. If a conference is requested, it shall be held within five (5) school days following the request. If, after the conference, the District Administrator finds that the student did not violate an enrollment condition or that the revocation was inappropriate, the student shall be enrolled in school under the same enrollment conditions under the order previously issued and the condition enrollment revocation shall be expunged from the student's records. If the District Administrator finds that the student violated an enrollment condition and that the revocation was appropriate, s/he shall mail separate copies of

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- the decision to the student and, if the student is a minor, to the student's parent. The decision of the District Administrator is final.
2. If a student's conditional enrollment is revoked, the student's expulsion shall continue to the expiration of the term of the expulsion specified in the expulsion order unless the student or, if the student is a minor, the student's parent and the school board that expelled the student, or the independent hearing panel or independent hearing officer, or the out-of-state public school agree, in writing, to modify the expulsion order.

Legal References:

118.51, Wis. Stats.

118.52, Wis. Stats.

120.13(1) Wis. Stats.

121.77, Wis. Stats.

121.78(2)(a), Wis. Stats

121.81, Wis. Stats.

121.84, Wis. Stats.

McKinney-Vento Act. (42 U.S.C. 11431, et. Seq.)

118.53 Wis. Stats.

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